

You are requested to attend a meeting of the Tenant Services Management Board to be held in The John Meikle Room, The Deane House, Belvedere Road, Taunton on 14 December 2016 at 18:30.

Agenda

- 1 Apologies.
- 2 Minutes of the meeting of the Tenant Services Management Board held on 14 November 2016 (attached).
- 3 Public Question Time.
- 4 Declaration of Interests
To receive declarations of personal or prejudicial interests, in accordance with the Code of Conduct.
- 5 Asbestos Communication Strategy. Report of The Housing Services Lead, Julian Ranson – Savills and Catrin Brown – Health and Safety Manager. (attached).
Reporting Officer: Stephen Boland
- 6 High Income Social Tenants: Pay to Stay (attached)
Reporting Officer: Martin Price
- 7 Transformation of Taunton Deane Borough Council and West Somerset Council Corporate. Report of the Strategy and Performance Manager. (verbal update).
Reporting Officer: Paul Harding
- 8 Universal Credit. Report of The Welfare Reform Project Officer and Lettings Manager. (verbal update)
Reporting Officers: Michaela Mullen
Paul Hadley
- 9 Anti Social Behaviour Team Activity. Report of The Lettings Manager (attached).
Reporting Officer: Paul Hadley
- 10 TSMB meeting dates 2017

Bruce Lang
Assistant Chief Executive

22 February 2018

Members of the public are welcome to attend the meeting and listen to the discussions.

There is time set aside at the beginning of most meetings to allow the public to ask questions.

Speaking under “Public Question Time” is limited to 4 minutes per person in an overall period of 15 minutes. The Committee Administrator will keep a close watch on the time and the Chairman will be responsible for ensuring the time permitted does not overrun. The speaker will be allowed to address the Committee once only and will not be allowed to participate further in any debate.

Except at meetings of Full Council, where public participation will be restricted to Public Question Time only, if a member of the public wishes to address the Committee on any matter appearing on the agenda, the Chairman will normally permit this to occur when that item is reached and before the Councillors or Tenant Services Management Board Members begin to debate the item.

This is more usual at meetings of the Council’s Planning Committee and details of the “rules” which apply at these meetings can be found in the leaflet “Having Your Say on Planning Applications”. A copy can be obtained free of charge from the Planning Reception Desk at The Deane House or by contacting the telephone number or e-mail address below.

If an item on the agenda is contentious, with a large number of people attending the meeting, a representative should be nominated to present the views of a group.

These arrangements do not apply to exempt (confidential) items on the agenda where any members of the press or public present will be asked to leave the Committee Room.

Full Council, Executive, Committees and Task and Finish Review agendas, reports and minutes are available on our website: www.tauntondeane.gov.uk



Lift access to the John Meikle Room and the other Committee Rooms on the first floor of The Deane House, is available from the main ground floor entrance. Toilet facilities, with wheelchair access, are also available off the landing directly outside the Committee Rooms.



An induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter.

For further information about the meeting, please contact the Corporate Support Unit on 01823 356414 or email r.bryant@tauntondeane.gov.uk

If you would like an agenda, a report or the minutes of a meeting translated into another language or into Braille, large print, audio tape or CD, please telephone us on 01823 356356 or e-mail us at: enquiries@tauntondeane.gov.uk

Tenant Services Management Board Members:-

Mr A Akhigbemen

Councillor C Booth

Councillor R Bowrah, BEM

Mrs J Bunn

Mr D Galpin

Mrs J Hegarty

Mr K Hellier

Mr I Hussey

Minutes of the Meeting of the Tenant Services Management Board held on 14 November 2016 at 6pm in The John Meikle Room, The Deane House, Belvedere Road, Taunton.

Present: Mr R Balman (Chairman)
Mrs J Bunn, Mr D Galpin, Mrs J Hegarty, Mr I Hussey, and Councillor Booth and Bowrah.

Officers: Paul Hadley (Lettings Manager), Stephen Boland (Housing Services Lead), Jan Errington (Interim Business Support Lead and Project Manager), Simon Lewis (Assistant Director – Housing and Community Development), Martin Price (Tenant Empowerment Manager), and Tracey Meadows (Democratic Services Officer).

(The meeting commenced at 6.00pm)

1. Apologies

Apologies were received from Mr K Hellier

2. Minutes

The Minutes of the meeting of the Tenant Services Management Board held on 24 October 2016 were taken as read and were signed.

3. Public Question Time

No questions received for Public Question Time.

4. Declarations of Interests

Mr R Balman, Mrs J Bunn, Mr D Galpin, Mrs J Hegarty, Mr I Hussey, declared personal interests as Taunton Deane Borough Council Housing Tenants.

5. Introductory Tenancies

The Lettings Manager gave a verbal update on Introductory Tenancies (IT) stated that the legislation empowering Local Authorities to use introductory tenancies was contained within Part V of the Housing Act 1996 s124 to s143.

The use of IT's was to provide;

- Reduced form of security of tenure;
- Incentive for tenants to conduct their tenancy in a satisfactory manner;
- Landlord can monitor for the first year of a tenancy;
- Seek possession through a more simplified legal route;
- Extended IT for a period of six months;
- Tenancy sustainment;
- Eviction pursued as a last resort;

New tenants to TDBC would be granted IT from TBC 2016. Exceptions to this are where the tenant, or in the case of joint tenants one of them is one of the following;

- An existing secure TDBC tenant(s) transferring or exchanging to another TDBC tenancy;
- An existing secure, assured or fixed term tenant(s) of another local authority transferring or exchanging to a TDBC tenancy;
- An existing secure tenant(s) where there was a change of tenancy from joint to sole or sole to joint;
- Someone succeeding to a previously secure tenancy, or;
- A new sheltered housing tenant;

Conditions of the IT – an IT An IT tenant(s) will not have the same rights as a tenant(s) with a secure tenancy until the end of the first year or any extension period has been successfully completed. An introductory tenant(s) will not be able to:

- Exchange;
- Buy their property;
- Make alterations and improvements;
- Take in lodgers;
- Sublet their home.

There is a right to succession on the tenant's death during the period of an introductory tenancy.

An introductory tenancy can be assigned by a court order or by assignment to a person who would have been entitled to succeed.

Officer Responsibilities

Estates Assistants

- Sign ups;
- Administer and coordinate arrangements for reviews;
- Action tenancy conversion to secure as directed by ACM;

Lettings Assistants

- Administer and coordinate arrangements for reviews (ASB) ;

Estates Officers

- Manage IT's;
- Conduct 6 week visit (NTV);
- Conduct additional visits as necessary – Rent arrears, nuisance etc...;
- Make referrals to relevant agencies to ensure vulnerable tenants with identified support needs are met;
- Serve Notice of Possession Proceedings (NOPP) and/or Notice of Extension (NDE);
- Present cases to review panel and County Court as required;
- Manage high level ASB cases;
- Conduct additional visits as necessary where issues relate to ASB;

Area Community Manager and Housing Manager – Lettings

- Ensure compliance by staff with IT procedure;

- IT monitoring report;
- Ensure tenancy conversion takes place when IT ends;
- Monitor – Appointments for NTV's Review Panel Administered correctly, Case management;

Senior Managers

- Review Panel Members;

Reasons to end an IT

The Introductory tenancy agreement specifies the conditions for ending an introductory tenancy, when considered by the review panel, and may include but not limited to, the following:

- Arrears of rent or service charges;
- Breach of tenancy agreement;
- Actions likely to cause nuisance or annoyance to neighbours;
- Use of the premises for illegal or immoral purposes;
- Committing an arrestable offence in the dwelling or in the vicinity of the dwelling;
- Wilful damage to the premises or to any furniture supplied by the Council;
- Giving or instigation another person to give false information to obtain a tenancy;
- Where one or both parties in a relationship is the tenant and one partner has left because of violence from the other, the tenancy might be ended if it is clear that the person who vacated is unlikely to return;

Managing IT's

At Sign up

- IT sign up checklist (IT- Introductory Tenancy sign up checklist)
- Implication of IT for tenant – reduce security of tenure etc...;
- Fully understand tenancy agreement (IT2 – introductory Tenancy Agreement);
- Tenancy convert to secure at successful end of IT;
- No requirement to sign new tenancy agreement when convert to secure;

After sign up

- Majority of tenancies will convert to secure at 12 month point without incident;
- 6 weeks (NTV) (IT4- Introductory tenancy visit review form);
- Tenancy sustainment – visits, early intervention, clear communication of remedies for tenancy breaches;
- Accurate records – used as supporting evidence for review panel and County Court;

Managing IT's Extension

Visiting Office concludes issues justify extension

- At visit inform tenant, ensure that the tenant knows that they can request a review, complete (IT5);

- Following visit send tenant (IT6 – introductory Tenancy – extension letter)
- Pass , (IT5) and all relevant evidence to ACM/Housing Manager – Lettings;
- ACM/Housing Manager - Lettings approve extension (IT8 – NOPP/NDE evidence report) to be completed;
- Visiting officer to hand deliver to tenant(s) (IT9 – Notice to extend introductory tenancy);
- Note: Must be served at least 8 weeks before the tenancy is due to end;
- No review requested by tenant – send (IT10 – Introductory tenancy – extension confirmation letter);

Visiting Office concludes issues justify ending IT

- **Note:** It is envisaged that the vast majority of IT's where it has been decided to end the tenancy will be in relation to persistent ASB;
- At visit inform tenant, ensure the tenant knows that they can request a review, complete (IT5);
- Following visit send tenant (IT7 – Notice of possession proceedings warning letter);
- Pass completed (IT5) and all relevant evidence to ACM/Housing Manager – Lettings;
- ACM/Housing Manager – Lettings approve notice to end tenancy
- Visiting officer to hand deliver to tenant(s) (IT11 – Notice of Possession Proceedings - NOPP);
- Note: Must be served at least 8 weeks before the tenancy is due to end;
- Allows time to file a case for court action before the end date of the tenancy;
- If a NOPP is served, and no application is made to the court before the end of the introductory tenancy it will automatically convert to a secure tenancy. In these cases if the breach continues when the tenancy becomes secure a notice seeking possession (NOSP) will need to be served and normal possession action procedures will follow;
- No review requested by tenant – send (IT12 – Notice of Possession Action Letter);

Reviews

Regulations

The Introductory Tenants (Review) Regulations (IT(R) Regs) 1997 (Statutory Instrument 1997 No. 72) sets out the process for review and provides that:

- The review must be carried out by someone who was not involved in the decision to apply for possession;
- While there is no limitation set on who that person can be, he or she must be senior to the original decision-maker;

Who will conduct the Review?

Nominated Review Panel Members are:

Housing Service Lead
Property Services Manager

Asset Manager
Housing Options Manager
Housing and Development Enabling Manager

Reviews – Rights

Tenants will be briefed about their rights to request a review at:

- Sign up;
- When extension or ending of tenancy is initiated;

Review Types

Review without a hearing – Where the tenant(s) wants the case to be reviewed, providing further evidence/information in writing for the Review panel to consider;

Oral Hearing – Where the tenant(s) wishes to attend a Review Panel for the case to be heard;

Requesting a review

- Tenant has 14 days from service of **NDE/NOPP** to request a review **preferably in writing** stating what points they dispute in the **NDE/NOPP**;
- The review must be heard before expiry of the 4 week **NDE/NOPP**;
- Tenants are advised to use the **Request for a Review Form**, which is sent out with the **NDE/NOPP**;
- When requesting a review the tenant must indicate if they wish to attend an oral hearing, if this is not specifically requested the review will be conducted without a hearing;

Preparation for a review

- Any officer who receives a request for either type of review must immediately notify the ACM/ Housing Manager – Lettings or in their absence the estates assistant or lettings assistant responsible for coordinating and administering the arrangements for the review;
- The estates assistant/lettings assistant will liaise with the Housing Service Lead where appropriate or the review panel chair and arrange for correspondence to be sent to the tenant(s) and for a time, date and venue to be booked;
- The estates assistant/lettings assistant will forward the relevant case file and notes to the Housing Service Lead or review panel chair;
- The case file will contain:
 - A summary of the case history - Introductory tenancy agreement;
 - Case/text notes from housing/ASB case file - All relevant correspondence including letters sent and received;
 - Victim diary sheets - A copy of the NOPP;
 - A copy of the NDE (if applicable) ASB policy (if applicable);
 - Copy of the Equalities Assessment (if applicable);
- The estates assistant/lettings assistant will send a standard acknowledgement letter to the tenant confirming receipt of request for a review, this will be by 1st class post;
- **Assistant to ensure review admin details are entered on CSM**

Conduct of the Review

- All reviews will be recorded on the standard (IT13 - Introductory Tenancy Review Panel Form);
- Review panel officers guidance notes have been produced which are contained within (**IT14 - Review Panel guidance notes**)
- The review panel will consider:
 - If the **NDE** or **NOPP** was served correctly;
 - The evidence produced, including all evidence provided by the tenant, representations by the tenant, written notes from telephone conversations, all correspondence and the complete set of tenancy file notes relating to the case;
 - If it is reasonable and/or proportionate to take the action requested;
 - The Review Panel may take into account events occurring up until the date of the review. The Housing Services Lead or Review Panel conducting the review can consider reasons not given in the notice, provided that any prejudice to the tenant(s) is avoided by giving him or her the opportunity to address any new allegations;

Review Panel Decisions:

- Uphold the decision to extend the tenancy/end the tenancy;
- Decide not to proceed further with the case;

If the Review Panel decide not to proceed to eviction on the review, but to extend the introductory tenancy, they must ensure that there will be:

- Sufficient time to allow a further review before the end of the introductory tenancy (8 weeks);
- There is sufficient time for the case to be referred to Court (8weeks);

Review by Oral Hearings

- Oral hearings will only be conducted if specifically requested by the tenant;
- A minimum of three of the nominated review officers must conduct any oral hearings. One of the officers will Chair;
- The tenant(s) will be given at least 5 days written notice of the date, time and place of the oral hearing;
- The tenant(s) have the right to be accompanied to the hearing and/or be represented by another person (who need not be professionally qualified); and;
- The tenant(s) or representative may call witnesses, question any witness and make written representations;
- There is no right to force a person to attend as a witness;
- The case will be presented by the estates officer, who can use hearsay evidence and will not have to identify the complainant;
- The review must satisfy the requirements of administrative law and be fair. The tenant must be given the opportunity to answer properly the allegations made against him or her;

- The tenant and his or her representative must have a proper opportunity to prepare for the hearing. This means that documents that the landlord intends to rely on should be disclosed in advance of any hearing;

Reviews – Absence and Adjournments

The Introductory Tenancy Review Regulations 1997 state that:

- If the tenant(s) or their representative fails to appear (notice having been given), the person conducting the review may proceed (having regard to all the circumstances including any explanation offered for the absence) or give directions regarding the conduct of the review as they think fit;
- The tenant may ask for the landlord to postpone the hearing and the landlord may grant or refuse the application as it sees fit;
- The chair of the panel has wide powers to adjourn the review hearing at any stage. If the review is adjourned or part heard and the composition of the panel varies; a new review panel and hearing is required;
- If the review is by oral hearing, the review can proceed in the absence of one of the panel, providing the tenant or his or her representative consents;
- Where hearings are postponed or adjourned they must be completed within the 4 weeks of the notice period;

Reviews – Outcome

- Notification of the outcome of the review must be given to the tenant by a nominated member of the Review Panel by sending (**IT15 - Outcome of review letter**) before the date after which proceedings for possession may be begun, as set out in the Notice of Proceedings for Possession;
- If the original decision to proceed with ending, or extending the introductory tenancy for a further 6 months is upheld the council must offer the tenant the reasons why this is the case;
- Notification of decisions will be in writing using the standard letters. Letters of notification will be sent by first class post;
- If the review finds in favour of the tenant then a secure tenancy will take effect at the end of the introductory period;

Court Proceedings

- EO complete County Court Application (Form N5), send application to court with correct fee;
- Court will respond with hearing date;
- EO to complete **IT16** – (Court date letter) and send to tenant
- EO complete Statement of Truth and prepare 3 copies (EO, Judge, Tenant) of evidence for court to include:
- T/A, all correspondence, including (**IT4, IT5, IT7, IT8, IT9, IT10, IT11, IT12, IT15**);
- Details of referrals for support, Action taken to support tenant
- EO to hand deliver **IT17** – (Statement of Truth Letter) at least 72 hrs. prior to court hearing to include copies of all evidence that will be relied upon in court;
- Individual EO will present their own case at court (in cases of sickness or other absence manager to approve which officer to present case);
- Court grant possession;
- EO to complete eviction checklist and send to PFH and Housing Options;

Court Proceedings – Challenges

- Although a Court Order is still required to bring an introductory tenancy to an end, unlike a secure tenancy where possession is at the Court's discretion, the Court must grant possession of an introductory tenancy when sought by the council, provided the council has complied with all of the introductory tenancy procedural requirements;
- While the Court has no discretion in granting a Possession Order, cases can however be subject to an Article 8 Human Rights defence and the Court will then consider proportionality. Officers must ensure their investigations are as robust as they would be if taking action against a secure tenant;

Evictions – Challenges

- Although there is no statutory defence to any action brought, provided the correct procedural steps have been taken. This is not to say that there can be no legal challenge to the decision to evict;
- The decision to evict can be challenged on administrative (i.e. public) law principles;
- If the landlord has not acted in good faith, or has not acted fairly, or has taken irrelevant considerations into account, it could be challenged;
- The burden lies on the tenant(s) however to show that there has been a public law failure in this respect;

Possession

- Tenant leaves property as per court order;
- Keys to Lettings for re-let;
- Or Tenant does not leave;
- EO complete **IT18** – (Warrant Application Letter) send to tenant;
- EO complete N325 and send to court with correct fee;
- Court confirm warrant appointment;
- EO complete **IT19** – (Eviction notice) to notify tenant;
- EO coordinates eviction, supervises property clearance;
- Completed eviction checklist and keys to Lettings for re-let;

During the discussion of this item the following points were made:-

- What would happen to the evictee if they had small children? We would need to test that it was reasonable and proportionate to evict these tenants. There was an eviction check list with which we would have to check. Unfortunately sometimes we have to evict tenants with small children to protect the neighbourhood from disruptive tenants, they must understand that their behaviour was putting their tenancy at risk and they were making themselves voluntary homeless. In the case of small children they would be given assistance by the homeless team to look for alternative accommodation via private rent;
- What evidence would you need to evict tenants? All evidence received was documented and presented to the tenant;

Resolved that the officer's report be noted.

6. Fees and Charges 2017/18

The Interim Business Support Lead and Project Manager Housing Services gave an update as set out in the report that set out the proposed fees and charges for Housing and Community Services in 2017/18.

It was proposed to increase housing (non-rent) fees and charges by applying Retail Price Index inflation as at September 2016 (2%). This was in accordance with the 30 year Housing Business Plan.

Reported that The Equality Impact Assessment covered all of the groups that were affected in all the different charges. There were no disadvantages to any groups.

The following are exceptions:

- Charges for properties not on mains sewer – these cannot be set until we are informed by Wessex Water;
- Extra Care Housing- A new service model was agreed and supported by the Tenant Service Management Board , Community Scrutiny and the Executive Portfolio Holder in April 2016;
- Temporary Accommodation – proposed to freeze charges on this as they are already at the maximum of the LHA (Local Housing Allowance) allowance;
- Other Temporary Accommodation – propose to increase fees for this to the LHA ordinary rate;
- Guest rooms – these are not very popular and underutilised so are running at a loss. These rooms are at present under review and could be changed if they are not utilised enough;
- Meeting halls – their charges were pretty low so a simplification of the charge will be made to a standard £10 per hour. Non community organisations would be charged an uplift of 2% which would be rounded up to the nearest 10pence.
- Garage charges – these charges were still pretty low. For Tenants the uplift would be 2%, private customers charge would go up by 5%. Sometimes Tenants took on a second garage, that would be charged at the private charge rate;
- Council housing rents – these would be set early in the New Year in line with Government Guidance;
- Discretionary services under the Local Government Act 2003;
- Contractually and through section 10 of the Housing Act 1985 (as amended by Local Govt & Housing Act 1989);

During the discussion of this item the following points were made:-

- Could the service charges be rounded up to zero or 05 for accounting purposes?; This has been done with a couple of the charges but we are not able to do this with Service Charges as the policy that we use for this needed to relate to the actual costs of inflation. There were other charges where we could possibly round them up. Stated that Services Charges were communal charges for communal areas such as grounds maintenance, the heat and light and special charges for sheltered housing and extra power. We could choose to round up other charges but the problem with this is that every year inflation was applied then this would add up to these little pennies again. What was

discussed at the Housing Revenue Account Business Plan was that we would apply 2%, so basically doing what we stated we were going to do. There would be a significant amount of review in the Business Plan when we implemented this and you would see a change. For example you could see charges being applied to mobility scooters and their storage, as at present we do not make a charge for this, but there are those who say that we should be making a charge for this service.

- Looking at the charges some are obligatory others are not obligatory for example I would like you to look at the private sector and find me a garage that I can rent for less than £10 per week, if you can I would be very surprised. This would be in regard to the private tenants who should be paying a minimum of £10 per week. We could take your recommendations to the Corporate Scrutiny Committee, it would then pass from there to the Executive Committee. If you would like to make a recommendation in increasing the garage rent for private hire beyond the 5% increase then that is what we need to hear.
- Considering that most garages were not used for storing Cars or Motorbikes as per the tenancy agreement and were used for storing building materials/ surplus items you could not get a storage unit for £10 per week.
- Frustrations with grounds maintenance;
- The board to nominate a champion to get more involved in the project for service charges and grounds maintenance and how they are set.

Resolved that the Tenant Services Management Boards recommendation that the garage charge for private rent be increased to £10 plus vat per week.

(The meeting ended at 7.05pm)

Declaration of Interests

Tenant Services Management Board

- Declared a personal interests as a Taunton Deane Borough Council Housing Tenants;
 - Mr R Balman
 - Mrs J Bunn
 - Mr D Galpin
 - Mrs J Hegarty
 - Mr K Hellier
 - Mr I Hussey
 - Mr R Middleton
 - Mr A Akhigbemen

Taunton Deane Borough Council

Tenant Services Management Board – 14th December 2016

Housing and Communities Service – Asbestos and communications with tenants and residents

Report of the Housing Services Lead – Stephen Boland

(This matter is the responsibility of Executive Councillor Terry Beale)

1. Executive Summary

This report sets out the Asbestos Communication Strategy and related letters and newsletter articles.

The Tenant Services Management Board is invited to comment on the strategy, letters and newsletter articles.

2. Background

2.1 Taunton Deane Borough Council Asbestos Compliance Review.

Good progress has been made over a period of years by those responsible for managing both the corporate and housing portfolio to address asbestos related risk management at Taunton Deane Borough Council (TDBC). This is evidenced by the appropriate use of specialist surveyors and contractors, a proactive survey program over a period of years with corresponding accumulated data and related operational processes and documentation. Notwithstanding this, it is evident through the process of review, there remain a number of concerns which, in the event of an incident inspection by Health and Safety Executive, may result in a less than satisfactory assessment.

An action plan sets out actions that to be considered and/or taken.
(Source: Ransom, J. (2015). Taunton Deane Borough Council: Asbestos Compliance Review; Savills (UK) Limited, London).

An Asbestos Working Group has been formed to act as an operational group to help drive the asbestos compliance/ improvement agenda on behalf of all stakeholders within Taunton Deane and West Somerset Council. This is principally to practically implement the recommendations arising from the Savills report and recommendations (dated 2015).

3.0 Asbestos Communication Strategy and related template documentation

A key function of the Asbestos Working Group is to develop, monitor and review the Asbestos Communications Strategy and related template documentation.

Attached for your information and comment are the following documents:

1. Communication Strategy: Informing residents about asbestos;
2. TDBC asbestos information leaflet;
3. Survey appointment letter 1;
4. Survey appointment letter 2;
5. Survey results letter 1;
6. Survey results letter 2;
7. Asbestos FAQ's;
8. Newsletter article 1; and
9. Newsletter article 2.

Note: Several members of our Tenants' Forum have been involved in reviewing the content of the letters and articles.

4.0 Recommendation

1. The Tenant Services Management Board is invited to comment on the strategy and related documents.

Contact: Stephen Boland – Housing Services Lead
Direct Dial No: 01823 356446
[e-mail: s.boland@tauntondeane.gov.uk](mailto:s.boland@tauntondeane.gov.uk)



Communications Strategy: Informing Residents about Asbestos

Intention:

This strategy explains how Taunton Deane Borough Council (TDBC) and West Somerset Council (WSC), inform our residents about asbestos:

- what it is, any potential health issues and the relevance to our residents;
- how Taunton Deane Borough Council (TDBC) and West Somerset Council (WSC) are managing asbestos within its properties;
- where asbestos containing materials are likely, or known to be within your home; and
- general 'dos and don'ts' about asbestos and who to contact for further information.

This strategy is regarded as an extension of one of our stated key objectives to

- "Work with our communities to keep Taunton Deane a great place in which to live, work, learn and enjoy".

This strategy reflects the principles stated within both the TDBC Corporate Strategy and Housing Related Support Charter and specifically to ensure we:

- will promote tenants well being, health and quality of life;
- make schemes as safe as possible for all tenants, and ensuring communal areas comply with Health and Safety legislation;
- will provide a Housing function that delivers value for money, customer focussed services to our tenants and others living on our estates; and
- will be honest, do what is right and stick to it.

Summary:

A duty to inform all Taunton Deane Borough Council residents about asbestos is recognised by TDBC, however in order to avoid unnecessary alarm or anxiety, we wish to do so in a coordinated and responsible way.

Background:

In April 2012 Regulation 4 of the Control of Asbestos at Work Regulations came into force which concerns the 'Duty to manage the risk from asbestos in non domestic premises'. The 'duty holder' (in this case TDBC and WSC), is required by this regulation (amongst other things):

*"Provide information on the location and condition of the materials to **anyone** who is liable to disturb them."*

As asbestos containing materials which may be present in their homes could be disturbed accidentally by our residents (tenants, or leaseholders), TDBC and WSC take the view that this obligation extends to those occupying TDBC and WSC properties. These could equally be individual homes, or public buildings, or places of work (shops and commercial premises).

Domestic property (flats and houses) are also now referred to within relevant HSE guidance. TDBC and WSC interpret this as a logical extension of the regulations concerning working safely with asbestos which apply to contractors/ workers/ employees, insofar that domestic premises also become a 'place of work' whenever refurbishment work or a repair is undertaken.

TDBC's Approach:

In order to categorically determine where asbestos is, and as importantly, where it is not, TDBC and WSC is conducting an on-going programme of specialist survey and inspection of its properties. This has been underway for a number of years already and incorporates all relevant areas of TDBC and WSC buildings constructed before the year 2000, when the use of all asbestos containing materials was banned in the UK. The range of buildings surveyed public and commercial buildings, as well as flats, houses, communal areas, sheds, bin stores, and garages. Given that TDBC manage a large number of dwellings, this inspection programme will take time to complete and not all properties have been inspected yet.

Rather than wait for all individual surveys to be completed, TDBC has therefore decided to advise all residents at the outset as to the potential presence of asbestos, as well as the potential risk posed. If there is any possibility that asbestos could be present, we will presume that it is (until proven through survey that it is not) and advise residents/ building occupants accordingly. This document helps explain how this will be done.

Involvement and Consultation:

In order to provide valuable practical feedback as to what concerns residents are likely to have, TDBC will undertake early consultation with a group of residents willing to participate. This will also include key TDBC staff and those with specialist knowledge able to best explain relevant aspects. All asbestos related advice, letters, documentation and general information intended to help communicate with our residents can then be vetted via a residents 'editorial panel'. The aim is to ensure an easily understood, consistent, and appropriate approach will continue to be reflected.

To help 'de-mystify' the topic and any information issued to residents, TDBC will also endeavour to use plain language, or where appropriate, append a key to any 'jargon' or specialist terms used.

In order to manage both the reaction and reasonable expectations of our residents, TDBC and WSC recognise that clear and effective communication is essential.

Initial concern is understandable, however the experience of other similar Councils/ housing providers indicates that providing asbestos information directly to residents need not necessarily result in a 'panic' response. TDBC and WSC do appreciate however that the way in which information is passed on is critical. Our deliberate intention therefore is to provide accurate, concise and unambiguous information regarding the potential risk posed by asbestos.

If provided in a effective and timely manner asbestos related advice, information and guidance should not raise undue concern, indeed many of the potential risks can only be avoided if residents are provided with the correct information in a way which can be simply understood. Experience by other councils and housing providers apply confirms that excessive anxiety or panic, whilst anticipated by some, was in the end avoided by exercising care and a consultative, responsible approach.

The HSE sets out the framework for an appropriate risk management regime, however TDBC and WSC consider the need to simply highlight things our residents need know **not** to do are just as important.

These messages will include:

- **No need to panic** – if safely managed asbestos doesn't present a health hazard. Asbestos materials are more dangerous when disturbed than left alone.
- **It is not necessary to remove all asbestos** - removing asbestos which is in good condition will represent a greater risk than simply containing it.

The way in which TDBC and WSC coordinate the various processes through which we assess and then manage asbestos containing materials within the property we own, manage and maintain is contained within the Asbestos Management Plan. To provide confidence to those occupying, visiting or working within TDBC and WSC related property that their homes, public buildings or places of work are and will remain a safe environment, we set out to convey the key aspects of this on-going Asbestos Management Plan, and to keep our tenants updated about the steps being taken to manage asbestos in our resident's homes.

Conducted in the right way, TDBC regard early and clear communication with our residents in respect of this sensitive subject to be the best policy and that if it is conducted sensitively, need cause no alarm.

Communication:

TDBC and WSC will employ existing paths of communication wherever possible in order to help provide a cost effective communication route which is already well rehearsed and readily understood by our residents.

Housing Services produce a quarterly newsletter called 'Housing', which provides information to both TDBC tenants and leaseholders. Our tenants also produce their own magazine for TDBC tenants called 'Tenants Talk'. Periodic articles regarding asbestos issues will be posted within these publications to both raise general awareness and inform residents regarding TDBC's on-going survey programme and management plan. Other briefings will be given to TDBC tenant forums and Tenants' and Residents' Associations as preferred to both provide information and encourage consultation. TDBC have already collated an asbestos information leaflet (Winter 2015, copy appended) and provided a newsletter article to promote and distribute the information within it. Every effort will be made to ensure articles are engaging and relevant. Over time it is hoped that residents will also be invited to contribute to these, or submit their own articles where appropriate or helpful to do so.

As part of the 'duty to manage', the HSE guidance requires TDBC and WSC to monitor and review our asbestos management plan and its practical implementation periodically. We regard the provision of periodic (at least annual) communication updates for our residents to constitute a component of this.

Although not an exhaustive list, other relevant processes or points at which TDBC considered it will be appropriate to provide specific asbestos information to our residents, building users, occupants, or other partners will include:

- Our office reception areas (leaflets and posters)
- Our website
- New tenants information packs

- As part of the mutual exchange procedure
- As part of the pre-assignment RTB/RTA procedure
- Tenant Handbook
- Leaseholder Handbook
- At renewal/ commencement of commercial/ business leases
- Resident Planned Works Information Packs
- In responses to tenant own alteration (DIY) work requests*
- Disabled Adaptation referral procedure

* Provided that they notify and obtain permission first, secure tenants within TDBC property have a right to undertake improvements to their home. We will however remind residents that they **must not** commence any alteration or improvement work until permission has been provided in writing by TDBC. This permission will include suitable advice and guidance regarding the potential risk from asbestos associated with the work proposed. The process of approval may also necessitate additional specific survey inspection and testing which TDBC may need to commission in advance of granting approval.

A number of the documents referred to within this strategy can (or subsequently will) be found included in the appendices. Access will also be provided via the TDBC and WSC website.

It is our intention as part of this strategy to carefully review and continue to coordinate all resident and building user focussed asbestos communication, in order that any advice or information made available is consistent for all service users/ customers.

In order to best address any potential concerns arising, all TDBC residents will be contacted prior to asbestos survey via letter. This will incorporate simple explanatory information and copy of our asbestos information leaflet, as well as provide contact details by which immediate queries may be raised with those most appropriate to answer them and in advance of a visit by the specialist contractor.

When initially publicising the (on-going) annual survey programmes and the subsequent provision of asbestos survey information to our residents, TDBC will encourage residents to phone/ e-mail us directly to address any concerns they may have. Queries will be responded to via staff with appropriate training to best provide clear and consistent information to help avoid unnecessary concern or confusion. TDBC will monitor the number and nature of asbestos related enquires received and attempt to reflect these within on-going communication adopted. The experience of others who have undertaken a similar process indicate that after an initial brief period, the number of enquiries received reduce significantly in order these may then be appropriately responded to as part of our normal communication.

Training and awareness (of TDBC and WSC staff):

To help address the queries and potential concerns of our building users, residents or partner contractors, this strategy sets out to ensure clear communication at all levels required. To aid this objective, TDBC and WSC ensure a regime of carefully targeted training amongst a range of staff teams which include technical officers as well as those dealing with direct enquiries from residents or the public, or those partners delivering services upon our behalf. Asbestos awareness training is provided periodically to a wide range of our staff including relevant managers within both our housing and corporate management teams. Although they may not be required to deal directly with this aspect, TDBC and WSC consider suitable knowledge is appropriate in order to provide an appropriate context and awareness enough to appreciate the potential risk associated with the work they take responsibility to manage. In many instances having identified a potential concern, the associated procedure will then direct them or their staff to refer the matter to other TDBC or WSC staff provided with sufficient training to best deal and manage the problem directly.

TDBC and WSC employ specialist contractors licensed by the HSE specifically to remove, work on, or repair most asbestos containing materials. It is not therefore generally necessary to train our own staff in the detail relating to these tasks, but only sufficient to understand when their services are necessary and what information is required both before and following related tasks. For some specific routine tasks relating to asbestos containing materials however, TDBC have a specialist team as part of our direct workforce (the TDBC DLO) who are trained and equipped to carry out a limited number of asbestos related tasks. This is to enable them to undertake their maintenance and improvement work efficiently. This remains a closely regulated area however and specialist training for this team is undertaken annually together with on-going auditing to ensure the required quality of work is maintained for this sensitive area.

TDBC also employ specialist certified asbestos inspection and survey companies to undertake building surveys, manage work in progress and provide retained general advice when required in response to work commissioned or queries received from our residents or our other working partners.

Those otherwise involved with commissioning, inspecting, or managing repair or improvement works upon TDBC and WSC property are provided with thorough general awareness and site recognition training sufficient to appreciate and anticipate potential asbestos related risk.

As communication with TDBC residents will often be direct (if not face to face), we will continue to ensure our front line staff teams (including the Customer Service Centre Advisors), are made aware of the key principles sufficient to deal with asbestos related questions positively and clearly.

To assist with this function, a number of standardised 'frequently asked questions' together with associated responses has been collated. This set of questions and answers (appended) will be as part of the training syllabus and updated periodically to best reflect actual patterns of enquiry received from our customers.

As part of TDBC and WSC's strategic asbestos management structure, a number of 'responsible persons' have been designated and will therefore receive training at an enhanced level in order to support other staff teams and resolve more detailed enquiries. All training will be subject to on-going refresher training and express repeat cycles to ensure knowledge is up to date and reflect current practice.

Accessibility:

As part of our commitment to equality, diversity and social inclusion, TDBC is committed to advancing equality of opportunity and providing fair access and treatment in employment and when delivering services. We Therefore want everyone we house, provide services for, or otherwise communicate with to be able to understand us clearly.

As well as our usual contact details, Information issued by TDBC regarding asbestos will therefore carry the following statement and following translation table:

If you would like this document translated into another language or in braille, large print, audiotape or CD please telephone 01823 356423 or email us on enquires@tauntondeane.gov.uk

English
If you would like this document translated into other languages or in Braille, large print, audio tape, or CD please telephone us on 01823 or e-mail us at @tauntondeane.gov.uk
Bengali
অপনি যদি এই দলিলপত্র অন্য কোন ভাষায় অনুবাদ করে চান, বা ব্রেল, বড়ো ছাপার অক্ষর, অডিও-টেপ বা সিডিতে চান, তাহলে আমাদের টেলিফোন করুন এই নম্বরে 01823 বা অথবা ই-মেল করুন @tauntondeane.gov.uk
Chinese
如果你要這文件翻譯成其他語言或盲人凸字,大號字,聲帶,或光碟,請致電我們,電話 01823 或電郵 @tauntondeane.gov.uk
Hindi
अगर आप इस दस्तावेज़ का अनुवाद दूसरी भाषाओं या ब्रेल, बड़े अक्षरों वाली छपाई, ऑडियो टेप, या सीडी में चाहते हैं, तो कृपया हमें इस नंबर पर फ़ोन कीजिये 01823 या यहाँ ईमेल कीजिये @tauntondeane.gov.uk
Portuguese
Se desejar a tradução deste documento para um outro idioma ou em Braille, letras grandes, cassete de áudio ou CD, contacte-nos pelo telefone 01823 ou pelo endereço de correio electrónico @tauntondeane.gov.uk
Polish
W celu uzyskania niniejszego dokumentu w innym języku, w języku Braille'a, wydrukowanego dużym drukiem, nagranego na taśmę dźwiękową lub CD prosimy o kontakt pod numerem telefonu 01823 lub na adres @tauntondeane.gov.uk

Conclusion:

TDBC regard the risk to health associated with exposure to asbestos fibres as a highly important issue. The HSE's statistics prove it is "...the greatest single cause of work related deaths in the UK" (HSE) and as such the consequences can be extremely serious.

As TDBC consider our homes as well as our public and commercial buildings effectively constitute a 'place of work' when undertaking refurbishment or responsive repair, we consider it appropriate to regard our responsibility to our residents an extension of our duty to workers, contractors and staff.

Similarly we consider a duty of care to inform our residents as to the potential presence of asbestos containing materials and what to do in respect of them applies as they may reasonably wish to undertake their own redecoration and/or minor improvements or repair.

If undertaken in a straight forward, consultative manner, experience suggests that providing guidance and general advice in respect to the potential risk posed by asbestos, need not necessarily cause alarm or panic to our residents or building users.

TDBC understand that it is how we communicate such advice and information which is often significant and it is important to ensure we train appropriate staff, especially those who deal directly with our residents, and are therefore likely to receive queries or become aware of concern. As an extension of a robust asbestos management plan, this communications strategy is intended to help set out how we will continue to provide accurate, concise, and timely information to make sure our customers are kept informed and retain confidence in TDBC's approach.

Key to Abbreviations / Terms:

ACM	-	Asbestos Containing Material
CAR 2012	-	Control of Asbestos Regulations 2012
DLO	-	Direct Labour Organisation
TDBC	-	Taunton Deane Borough Council
Domestic Premises	-	Houses/flats (not commercial buildings like shops/offices/industrial buildings)
DIY	-	Do It Yourself
Duty Holder	-	Person in control of the maintenance activity to the property concerned
FAQs	-	Frequently Asked Questions
HSE	-	The Health and Safety Executive
Licensed Contractors	-	Specialist contractors licensed by the HSE and Commission to undertake asbestos related work
RTB / RTA	-	Right to Buy / Right to Acquire
WSC	-	West Somerset Council

Appendix

APPENDIX 1

Asbestos Information Leaflet / Resident
Asbestos Related Survey Results /
Letter Templates / FAQ's

(Note: Some intended as initial working copies
for co-development with resident editorial
panel)

Your Guide to Asbestos

For Council Tenants and Leaseholders



In good condition, asbestos is not a health hazard. But if items in your home do become damaged or deteriorate, then you and others around you may be at risk from asbestos fibres in the air.



What is asbestos?

Asbestos is a strong fibrous rock, which can resist heat and chemicals. It was commonly used in building materials between the 1950s and 1980s. Almost all buildings built or changed during this period are likely to contain asbestos. Products containing asbestos can look the same as those that do not. The difference can only be found under a microscope by a specialist laboratory.

Am I at risk?

Before starting any major DIY activities you must obtain written permission from Taunton Deane Borough Council's Property Services.

Seek specialist advice regarding your homes asbestos content.

You will not be at risk if products containing asbestos are undisturbed or undamaged. In good condition, asbestos is not a health hazard.

If items do become damaged or deteriorate, then you and others around you may be at risk from asbestos fibres in the air.





Am I at risk? (continued)

DIY activities such as drilling or sanding may disturb and possibly damage products containing asbestos. If you inadvertently damage what you suspect to be asbestos, leave everything in place (tools, ground sheets etc.), close the door leading to the room and contact us immediately.

Do not put yourself at risk.

Please seek specialist advice before carrying out any work. If you are a council tenant, we will arrange to have a sample taken and tested to establish if it contains asbestos.

Further works can be undertaken if necessary. This service is free for tenants. Leaseholders must arrange surveys and removal themselves.

All work must be carried out by approved contractors licensed by the HSE for certain types of work.

Asbestos is not dangerous if it is in a good condition. We assure tenants and leaseholders that their health and safety is our most important consideration.

**You may like to think of Asbestos in the same way as live electricity...
a constant presence in our homes and quite safe until it is tampered with.**

Where could I find asbestos in my home?

Not all homes contain asbestos. Below is a list of common places where asbestos has been found in properties. This list is not exhaustive.

Common places where asbestos has been found in properties.

Exterior of building

- Roof sheets and tiles
- Fascia boards
- Exterior cladding
- Guttering & drain pipes

Boilers

- Some interior workings of boilers
- Boiler flue pipes
- Linings to the boiler cupboards or doors
- Gaskets and seals

Interior surfaces

- Textured wall and ceiling coatings (e.g. artex)
- Duct panels (access to pipe work)
- Infill panels (above, below or next to doorways/windows)
- Panels behind radiators or heaters
- Floor tiles
- Suspended ceiling panels
- Underside of stairs
- Ceilings

Electrical

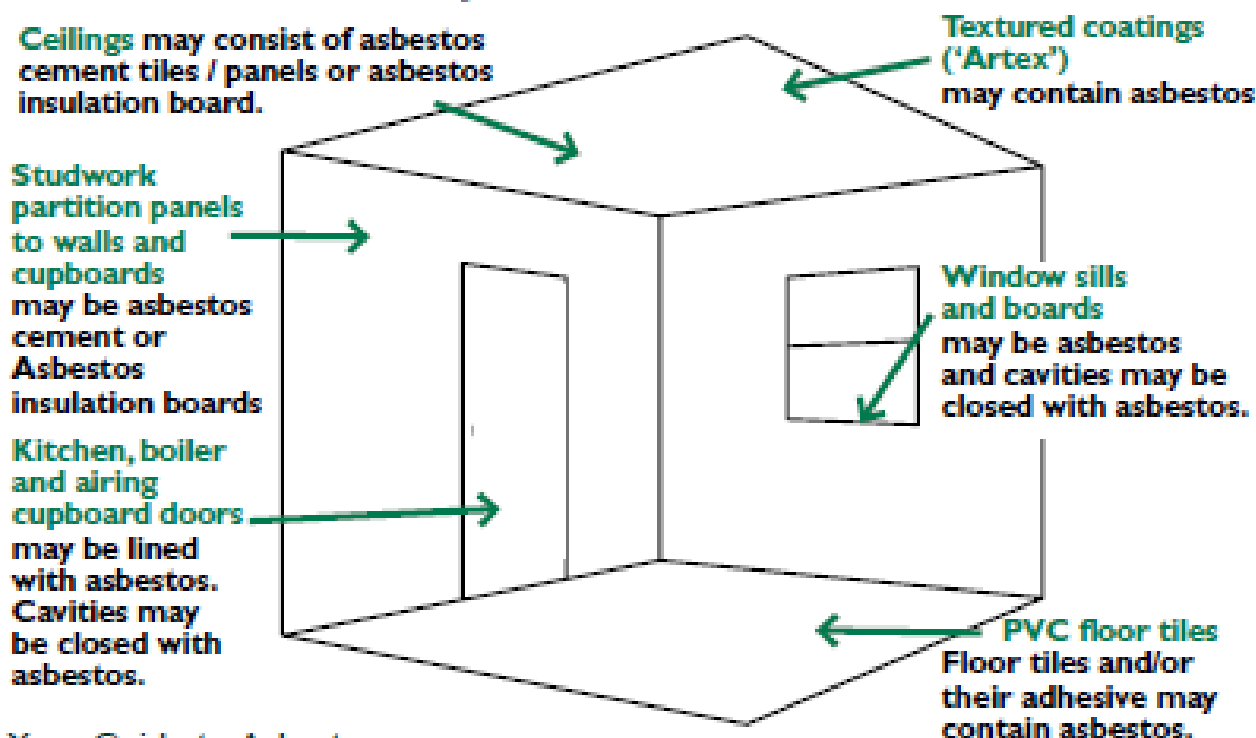
- Old fuse boards
- Storage Heaters

Other areas

- Bath panels
- Fireplace panels
- Pads underside of sink
- Water tank
- Pipe lagging
- Garage and shed roof
- Insulation
- Fire doors, loft hatches

All of the items in this list could contain asbestos and should be treated as such unless you know otherwise. If you are concerned about asbestos, please contact Taunton Deane Borough Council. Contact details can be found at the end of this leaflet.

Where you might find asbestos inside the home



Where you might find asbestos on the exterior of a home

Roof tiles and especially cement roofing sheets on sheds/garages may be asbestos, roofing felt may also contain asbestos.

Soffits, fascias and rainwater fixtures may be of asbestos cement.

Porch soffits may contain asbestos.

Window Sills may be asbestos, also cavities around window and doors may have been closed with asbestos.

Window boxes were often made of asbestos cement.

Damp proof courses were often made of asbestos cement.

Soil and vent pipes can be made of asbestos.

What is Taunton Deane Borough Council doing about Asbestos in their properties?

Taunton Deane Borough Council holds a list of properties where asbestos has been found or is believed to exist. This list is continually being updated as we carry out more surveys across the council's housing stock.

We are happy to share with you any information we have regarding asbestos in your home. We are also embarking on a programme of updated surveys and will share the results of these with you in writing.

Where we think asbestos is present tests are carried out.

If the asbestos is in a good condition, it is best practice to leave it in place. However, if the asbestos is in a bad condition, it will be removed or made safe. Leaseholders must make their own arrangements for survey and removal unless the work is part of a major project. Where major projects are being undertaken, tenants and leaseholders are formally consulted as a group and advised on the full process such as how the asbestos will be removed and, if necessary, what precautions are needed and for how long.

Services to tenants

Taunton Deane Borough Council provides a free survey and removal where appropriate service for council tenants. Please contact Property Services if you are worried about asbestos in your home.

When asbestos materials need to be removed or made safe, we will employ contractors who are licensed with the Health and Safety Executive. They will seal off the area containing damaged asbestos with an air tight enclosure if necessary. They then collect and secure the material under the Waste Management Licensing regulations.

If necessary, an independent analyst from the United Kingdom Accreditation Service (UKAS), will carry out an air check to make sure the area is safe. All work is done under the Control of Asbestos Regulations 2012.

Services to leaseholders

Under the terms of your lease you are responsible for all fixtures and fittings within your property, including artex ceilings and floor tiles. Do not attempt any DIY on materials you suspect could contain asbestos without speaking to a specialist first. Property Services can offer information and advice but you will have to organise and pay for the work to be done.

Taunton Deane Borough Council remains responsible for the building structure and the asbestos in any shared /communal areas (stairwells, landings, halls etc.)

Remember that items you suspect contain asbestos are best left in place if in good condition. If you do have asbestos removed or sealed, please inform future owners so that this information can be passed on. Any asbestos removed from your property must be disposed of by approved asbestos removal contractors.

Remember: Asbestos dumping is illegal.

For information and advice on asbestos

Under no circumstances attempt any removal or work on items you suspect may contain asbestos.

If you have any questions about asbestos or need some information and advice, contact Taunton Deane Borough Council Property Services.

Taunton Deane Borough Council Property Services

Phone: 01823 356333

Email: housing.maintenance@tauntondeane.gov.uk

Post: Housing Repair, Taunton Deane Borough Council, Priory Depot, Priory Way, Taunton TA1 2BB

Information and advice is also available from several other organisations:

Health and Safety Executive

Phone: 0845 345 0055

Post: Health and Safety Executive,
Rose Court, 2 Southwark Bridge,
London SE1 9HS

Web: www.hse.gov.uk

United Kingdom Accreditation Service

Phone: 44 (0) 20 89178400

Email: info@ukas.com

Post: UKAS, 21-47 High Street,
Feltham, Middlesex TW13 4UN

Web: www.ukas.com

The Asbestos Removal Control Association

Phone: 01283 531126

Post: ARCA House, 237 Branston Road,
Burton upon Trent, Staffordshire DE14 3BT

Web: www.arcaweb.org.ukdom



For other information please contact:

Taunton Deane Borough Council

The Deane House, Belvedere Road, Taunton, Somerset TA1 1HE

Telephone: 01823 356356

Email: enquiries@tauntondeane.gov.uk

Web site: www.tauntondeane.gov.uk

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English

If you would like this document translated into other languages or in Braille, large print, audio tape, or CD please telephone us on 01823 356356 or e-mail us at enquiries@tauntondeane.gov.uk

Bengali

অপনি যদি এই মসিলপত্র অন্য কোন ভাষায় অনুবাদ করে চান, বা ব্রেল, বড়ো ছাপার অক্ষর, অডিও-ট্যেপ বা সিডিতে চান, তাহলে আমাদের টেলিফোন করুন এই নম্বরে 01823 356356 বা অথবা ই-মেল করুন enquiries@tauntondeane.gov.uk

Chinese

如果你要這文件翻譯成其他語言或盲人凸字,大號字,聲帶,或光碟,請致電我們,電話 01823 356356
或電郵 enquiries@tauntondeane.gov.uk

Hindi

अगर आप इस दस्तावेज का अनुवाद दूसरी भाषाओं या ब्रेल, बड़े अक्षरों वाली छपाई, ऑडियो टेप, या सीडी में चाहते हैं, तो कृपया हमें इस नंबर पर फोन कीजिये 01823 356356
या यहाँ ईमेल कीजिये enquiries@tauntondeane.gov.uk

Portuguese

Se desejar a tradução deste documento para um outro idioma ou em Braille, letras grandes, cassete de áudio ou CD, contacte-nos pelo telefone 01823 356356 ou pelo endereço de correio electrónico enquiries@tauntondeane.gov.uk

Polish

W celu uzyskania niniejszego dokumentu w innym języku, w języku Braille'a, wydrukowanego dużym drukiem, nagranych na taśmę dźwiękową lub CD prosimy o kontakt pod numerem telefonu 01823 356356 lub na adres enquiries@tauntondeane.gov.uk

Survey Appointment: Template Letter 1

SURVEYING CONTRACTOR NAME/LOGO



**Taunton Deane Borough Council
Housing Services**
Deane House
Belvedere Road
Taunton
TA1 1HE

Dear *Name (resident)*

TDBC: Asbestos Management Survey

In order to be sure that we continue to manage any asbestos that might be within our properties safely, and to ensure the health and wellbeing of our tenants, we wish to undertake a survey of your home.

As part of our on-going inspection programme for this work, our appointed specialist '*Contractor Name*' are helping to update surveys for our properties.

As part of this, '*Contractor Name*' are planning to survey your property to update our information during the next month. As part of the survey, small samples may be taken from the surface of walls, ceilings, floors etc for testing. The items sampled may not necessarily contain asbestos, but in any event the sampling process will pose no danger to you.

It is important to stress that conducting these surveys does not necessarily indicate that there are any asbestos containing materials present. If identified through survey however, this will allow us to make sure it is not disturbed and to continue to manage it appropriately. We hope you may find the enclosed information leaflet helpful in explaining what asbestos is and the key aspects to be aware of. We will be providing further information for residents through our newsletters also later in the year.

Contractor Name will contact you to agree a suitable appointment shortly. Once the survey results are known, we will contact you to let you know and explain the results and what (if any) additional action we may anticipate.

In the meantime, if you have any queries in respect of the asbestos survey, please do not hesitate to call us on **01823 356356**. Taunton Deane Borough Council are grateful for your co-operation.

Yours Sincerely

Name
Job Title TDBC

Survey Appointment: Template Letter 2

PARTNER SURVEYING CONTRACTOR
LETTER HEAD/LOGO/ADDRESS

Dear *Name (resident)*,

TDBC: Asbestos Management Survey

With reference to the introductory letter to you from Taunton Deane Borough Council , we write to confirm that we are undertaking asbestos surveys in your area during the next **2 weeks**.

As part of the survey we may require access to all parts of your property. This will typically include roof spaces, outbuildings, garages or sheds. In order that any potential risks can continue to be appropriately managed, it is very important the sampling and testing carried out during our visit is thorough. Our surveyor will be ready to help explain what he will be doing and to answer any other questions you have when he arrives.

Identity badges (with the surveyors photograph), will be carried by all our staff and we encourage you to ask to see this before allowing them into your home. Although they may vary, the surveys should take no longer than an hour.

Photographs will need to be taken, inside and out, as part of the survey. These are to identify the exact position of samples tested and locations/ materials referred to and will not be used for any other purpose.

We will contact you again soon to confirm a convenient date and time to visit and carry out the survey. If when we call you are not at home, we will leave a calling card with our contact details in order you can contact us and re-arrange another more convenient time. If however you are happy to contact us now to confirm an appointment direct, please call us on **01823**

Taunton Deane Borough Council and '*Contractor Name*' thank you in advance for your co-operation regarding this important matter.

Yours Sincerely

Name
Asbestos Contract Manager
For and on behalf of *Contractor Name*

Survey Tenant Results: Template Letter 1



Taunton Deane Borough Council Housing Services

Deane House
Belvedere Road
Taunton
TA1 1HE

Dear *Name (resident)*

TDBC: Results of Asbestos Survey

Following the recent survey conducted at your home, please find enclosed a copy of the results. These are designed to provide you with a summary as to location of any asbestos containing materials identified in your home and to confirm what TDBC intend to do about them (if necessary). It is possible asbestos containing materials could also be in locations that could not be accessed/reached at the time of the survey (a list of these locations can also be provided upon request). In future, if you think one of the materials indicated has sustained damage, or you are considering undertaking any work yourself within your home, **it is essential to contact TDBC and advise us immediately** or before starting work.

We are pleased to assure you that the presence of asbestos containing materials in your home does not in itself warrant any cause for concern. The Health and Safety Executive (HSE) recommend that such materials in good condition should be left in place undisturbed. We may monitor their condition periodically, however it can be thought of in a similar way to live electricity: 'a constant presence but quite safe unless tampered with.'

The asbestos sampling surveys are part of TDBC's overall asbestos management plan and are being conducted to update our information and, over time, identify all potential asbestos material within our property.

TDBC require the information to review, and as appropriate in each case, continue our prioritised, on-going programme of monitoring, removal or encapsulation as required.

In the light of this letter, if you would like another copy of our asbestos information leaflet, or wish to discuss any questions or concerns arising, please do not hesitate to contact myself or one of my colleagues on telephone number **01823 356356**, and we will be happy to help.

Yours Sincerely

Name
Job Title TDBC



Results from Asbestos Management Survey

Property address:	
Asbestos survey date:	
This report compiled/ printed:	

Location within property (sample point)	Finding (Result of sample testing)	Risk Code (pto for key)
Room: Porch Item: Cement Soffit	Asbestos detected	D
Room: Hall Item: Floor Tiles	Asbestos detected	D
Room: Kitchen Item: Sink pad (below basin)	Asbestos detected	E
Room: Kitchen Item: Pipe Boxing in corner	Asbestos detected	C
Room: Kitchen Item: Floor Tile	Asbestos detected	D
Room: Bedroom 1 Item: Textured Ceiling Coating	No asbestos identified	-
Room: Bedroom 1 Cupboard 2 Item: Floor Tiles	No asbestos identified	-
Room: Roof Void Item: Gas boiler flue boxing	Asbestos detected	C

Samples taken have been laboratory tested. These were taken during the survey and from locations wherever the surveyor considered there could be a material which may have contained asbestos. The findings from the test results are tabulated above.



Key to Taunton Deane Borough Council Asbestos ‘Risk Code’:

Category A	High risk material in poor condition: Restrict access and remove material as soon as practicable.
Category B	Medium Risk material likely to be damaged or in <u>poor condition</u> : Remove / encapsulate material within 6 months.
Category C	Medium risk material in <u>fair condition</u> : Encapsulate/ repair and seal damaged areas within recommended timescale then monitor condition annually.
Category D	Low risk material : No Action Required. Monitor condition periodically.
Category E	Very low risk material : No Action Required. Monitor condition periodically.

Notes to Resident:

Materials identified to contain asbestos (as tabulated overleaf), must not be damaged or disturbed in any way.

Please contact us immediately if one of these materials has been damaged or has deteriorated and we will assist.

Also Please Remember:

- Breaking up asbestos containing materials or products with any tool, or cutting or abrading asbestos with electric tools in any way is dangerous and must be avoided at all times.

Similarly:

- Do not drill a hole into any asbestos containing boards or material
- Do not rub down textured coatings (Artex) or asbestos board/ panels
- Do not break off or cut into any asbestos products or boards
- Do not remove asbestos sheets, boxing or panels to gain access below (example: bath panels to access water / drainage services)
- Do not use wallpaper scrapers on asbestos products

If you wish to make some improvements to your property yourself (tenants own improvements or DIY) and this may potentially involve disturbing any of the items in the locations listed overleaf, you must contact Taunton Deane Borough Council (TDBC) for the appropriate advice first. As part of your tenancy agreement, you should in any event always ask permission from TDBC before commencing any work on your property. We will help by checking the relevant information in order to be sure if what you wish to do is safe first.

If you think that one of the items listed overleaf has been damaged, you should contact the TDBC Customer Services immediately and we will send someone to have a look at it and decide whether any repairs will be needed.

If you have any questions or concerns about the asbestos in your home, want any further information, please contact us on telephone number **01823 356356**.

Survey Tenant Results: Template Letter 2



Taunton Deane Borough Council Housing Services

Deane House
Belvedere Road
Taunton
TA1 1HE

Dear *Name (resident)*

TDBC: Results of Asbestos Survey

Following the recent survey conducted at your home, I write to request an appointment convenient to you in order to explain the findings in more detail and to plan some precautionary work to follow.

I have tentatively arranged a provisional appointment to visit you, accompanied by our specialist contractor, at *time* on *date*. Should this date be inconvenient for you, please call me directly on telephone *01823 356356* and we can arrange another appointment.

The survey results which I will bring with me are designed to provide you with a summary as to location of any asbestos containing materials identified in your home and to confirm what TDBC intend to do about them (if necessary). It is possible asbestos containing materials could also be in locations that could not be accessed/reached at the time of the survey (a list of these locations can also be provided upon request). In future, if you think one of the materials indicated has sustained damage, or you are considering undertaking any work yourself within your home, **it is essential to contact TDBC and advise us immediately** or before starting work.

We are pleased to assure you that the presence of asbestos containing materials in your home does not in itself warrant any cause for concern. The Health and Safety Executive (HSE) recommend that such materials in good condition should be left in place undisturbed. We may monitor their condition periodically, however it can be thought of in a similar way to live electricity: 'a constant presence but quite safe unless tampered with.'

The work we will meet with you to discuss purely preventative and can be regarded as a precautionary measure. There is no reason to be concerned in the meantime and I look forward to discussing this with you to explain what will be undertaken before anything is undertaken.

In the light of this letter, if you would like another copy of our asbestos information leaflet, or wish to discuss any questions or concerns arising before my visit, please do not hesitate to contact myself or one of my colleagues on telephone number *01823 356356*, and we will be happy to help.

Yours Sincerely

Name Job Title TDBC



Asbestos FAQs

For use by the customer contact centre in response to potential tenant enquiries

(modify for corporate or leaseholder enquires)

GENERAL ASBESTOS ENQUIRIES

• *I've had this letter about asbestos – what does it mean?*

As a result of prevailing legislation, Taunton Deane Borough Council (TDBC) is reviewing how we deal with asbestos and updating our records. The information sheet you were sent explains where you might find asbestos in your home. We advise you accordingly not to carry out DIY on items if you think they may contain asbestos.

• *Does this mean that there is asbestos in my home?*

The majority of properties contain asbestos. We believe that there is asbestos in most of TDBC's homes and generally will assume so until definitively proven otherwise.

• *If there is asbestos in my home, isn't that a risk to my health?*

No. Asbestos is only a risk to health if it is in poor condition, broken, or if you are actually working on it. You may like to think of it in the same way as live electricity – a constant presence and quite safe until tampered with.

• *How do I know if there is asbestos in my house?*

The information sheet you were sent includes information on those areas that typically might contain asbestos. The only way to be completely sure of exactly where asbestos is located in every property is by carrying out a detailed survey. This is an expensive process and TDBC is undertaking an on-going programme of representative surveys. If there is doubt as to whether asbestos is contained within a material within your home, we will assume that it is until proven otherwise.

• *My shed roof/garage roof, etc, contains asbestos – does this mean I can't use my shed / garage?*

If the sheeting is not damaged, there is no danger from the asbestos contained within it.

REPAIRS TO PROPERTY

- ***Part of my house that might contain asbestos is damaged (eg, a bath panel, rainwater pipe, etc.) What are you going to do about it?***

We will either arrange for the item to be inspected to check whether there is a risk and/or replace the item in an appropriate manner.

- ***Some work was carried out at my home last week/month. Does that mean that I now have asbestos in my home?***

Replacement materials used by TDBC and its contractors will not contain asbestos.

- ***You replaced my shed roof/WC cistern, etc, last week and the old one is still in my garden, and I think it contains asbestos. When are you going to collect it?***

Redundant materials removed, should have been taken away and appropriately disposed of. However, if in any doubt, please contact TDBC with your name and address and we will resolve this for you.

TENANTS OWN IMPROVEMENTS (DIY)

- ***Am I safe to carry out DIY work in my home?***

We advise that you not to carry out DIY to any item if you think it may contain asbestos. Contact us first to confirm.

- ***I replaced a bath panel (or whatever) recently and now you're telling me it contained asbestos. Does this mean I'm at risk?***

The risk to householders from carrying out minor repairs is minimal. However, to avoid any risk, we advise you not to carry out any further work on items that might contain asbestos.

WHATS TDBC DOING ABOUT IT?

- ***What are you going to do to get rid of the asbestos from my home?***

If asbestos is not damaged or disturbed, the safest thing to do is to leave it where it is. If there is some damaged asbestos in your home, we will immediately assess the risk, and then decide the best course of action to deal with it to ensure your family is not exposed to any potential risk.

THREATS AND DEMANDS

- ***I'm not staying in this property – will you move me?***

No. TDBC believes that, like the majority of buildings built before 1990, most of TDBC's buildings will contain asbestos. There would therefore be no point in moving you to another property which is also likely to contain asbestos.

- ***If anything happens to my kids, I'm going to hold you responsible.***

If you follow the guidelines set out in the leaflet provided, you and your household should not be at any risk.

- ***Would you have your kids living in a house with asbestos?***

Almost all properties built before 1990 contain some form of asbestos, so almost all people do.

- ***I'm going to the papers/MP/Councillor.***

You are fully entitled to do so, although we would prefer to review and discuss the matter with you fully before hand, as from experience this may dispel your immediate concern.

- ***My dad died of asbestos-related diseases and lived in an TDBC property. Can I sue TDBC?***

TDBC can't answer that question for you: you would need to take independent legal advice.

- ***I'm not paying my rent until you've got rid of the asbestos from my house.***

TDBC does not accept this as an appropriate course of action, or a valid reason for withholding your rent. If you get into rent arrears, we will take action against you to recover the debt in the usual way.

**EXAMPLE / POSSIBLE DRAFT TDBC NEWSLETTER
ARTICLE 1:**



Keeping you safe Asbestos

What is asbestos?

Asbestos is a fibrous natural mineral which evolves in the earth. Its ability to withstand high degrees of heat and electrical currents meant that it was widely used in buildings during the 1950s to 1980s. These fibres can be harmful when breathed in. If the material containing any asbestos is intact and in good condition, then the risk is minimal.

Where is it likely to be found?

The list below illustrates some **typical** places where materials containing asbestos **could** be found in a domestic building (house / flat).

Please note: this list does not include every possibility.

Outside the home	Inside the home
Guttering and rainwater pipes	Boilers and flues
Foulwater drainage pipes	Linings to boiler cupboards
Roof sheets and tiles	Panels behind radiators/heaters/electrical distribution boards
Exterior cladding	Textured wall and ceiling coatings (e.g. Artex)
Fascia and Soffit Boards	Suspended ceiling panels
Garages and garage roofs	Boxing to soil pipes and pipe work
Outbuilding/ shed roofs	Floor tiles (older thermo plastic type)
	Bath panels
	Water tanks
	Older electrical storage heaters

What are the risks to your family's health?

Asbestos is not a risk if it is in good condition and is not disturbed. When asbestos materials become damaged, for example, when they are sanded, sawn, scrubbed or drilled, they can release fibres into the air. These can be too small to be visible. If you think that there is damaged asbestos material in your home, please contact us on **01823 XXXXXX**.

What is Taunton Deane Borough Council and West Somerset Council doing about Asbestos?

Taunton Deane Borough Council (TDBC) and West Somerset Council (WSC) are implementing an Asbestos Management Plan that sets out how we identify and manage asbestos in our housing, corporate **and public** property. An on-going programme of updated surveys has been commissioned to confirm where asbestos

is present within our stock. A register is compiled where TDBC and WSC record where asbestos has been found, or is believed to exist. This register is continually updated and then checked before any works are carried out.

If asbestos is found, TDBC and WSC will make sure the materials containing asbestos are in a safe condition and then may monitor it periodically. In the cases found necessary, the material will be sealed or removed – this will depend on its condition.

The presence of asbestos containing materials in your home does not in itself warrant any cause for concern; these materials are very common in building across the UK. Prevailing guidance recommends that such materials in good condition are best left in place undisturbed. We may monitor their condition periodically, however **asbestos can be thought of in a similar way to live electricity: 'a constant presence but quite safe unless tampered with.'**

Your responsibilities *(or contribution?)*

It is important that TDBC and WSC information is kept up to date. If you wish to carry out any work to your home, you must obtain our approval before you carry out the work. This will give TDBC and WSC the opportunity to ensure that materials which may contain asbestos are identified at an early stage. This could include decorating, especially if Artex (textured coatings used upon ceilings or walls) is involved.

Remember, alterations are not allowed under your tenancy agreement without written approval from *the housing team*, so please obtain permission before you carry out the work. Please contact your *Area Housing Officer* for details.

If asbestos is found in your property, it is added to our register to allow TDBC and WSC to review and periodically monitor its condition. We will also inform any maintenance contractors who attend your property on behalf of TDBC and WSC of its location. We also employ specialist contractors to work with or remove asbestos containing materials safely where appropriate.

In the unlikely event that an asbestos containing material is, or becomes damaged, please keep away from the material or any dust or debris associated and contact Taunton Deane Borough Council or West Somerset Council immediately. We will arrange for specialist contractors to repair or remove the material. Over time we intend to survey every property, however this will take some time. Until your property has been surveyed, if you think there is material which contains asbestos in your home, especially if it has been damaged or is in poor condition, or have any related queries, then ring us on **01238 XXXXXX**.

Remember

- Don't panic! Asbestos products are not a health risk unless disturbed or damaged.
- Don't disturb the material. Particularly do not remove, sand, wire brush, break or drill any material you suspect may contain asbestos in your property.
- If you have any concern, contact your *Area Housing Officer* as soon as possible.

If you have concerns please contact us on **01238 XXXXXX** or **01823 356356**

Note: All calls made from mobile phones to 0800 numbers may cost more than the standard rates.

Possible Additions:

Date asbestos stopped being used in UK (2000 onward not a problem)?

Confirm TDBC will inform residents of the results of survey?

Communication Strategy being compiled?

Refer to new TDBC Leaflet and availability?

Use the ACM location diagrams rather than table?

**EXAMPLE / POSSIBLE DRAFT TDBC NEWSLETTER
ARTICLE 2:**



ASBESTOS IN THE HOME:

For most of us, asbestos is one of those things you feel worried about finding in your Home, but you're probably not sure why. It's true that asbestos can pose health risks. But, **like gas or electricity in the home, if it is managed properly, it is actually no cause for concern.**

What is Taunton Deane Borough Council and West Somerset Council doing?

- Over the next **three** years, our specialist contractor will carry out surveys of all our properties to make sure our records are up to date and to check that we are safely managing any asbestos in our homes.
- When we are ready to carry out surveys in your area, we will write to you and let you know that a surveyor will be contacting you to make an appointment.
- During their visit, surveyors will need access to all parts of your property, including any roof spaces.
- The surveyors will all carry identity badges and the survey itself is perfectly safe.
- The surveyor will be very happy to explain the survey to you and answer your questions when they visit.
- We will let you know the results of the survey and whether we need to carry out any work. If you have any concerns or questions regarding asbestos in your home then please contact us

Taunton Deane Borough Council

Tenant Services Management Board – 14 December 2016

BRIEFING: High Income Social Tenants: Pay to Stay

(This matter is the responsibility of Executive Councillor Terry Beale)

1. Summary

The purpose of this briefing is to provide an update on the government's proposals for social landlords to require their tenants on high incomes to pay higher rents known as 'Pay to Stay'. We have been waiting for detailed regulations and guidance due out since July 2016. The introduction of the scheme is no longer compulsory and the Council will not be pursuing the discretionary scheme.

2. About 'Pay to Stay'

2.1 In May 2016, powers were provided for in the Housing and Planning Act 2016 to introduce an income based rents policy, requiring local authorities to set higher rents for higher income council tenants with household incomes of over £31k outside of London. Tenants would pay an extra 15p rent for every £1 over the threshold up to the equivalent market rent. Councils would need to set out a valid method for determining local market rent for their properties.

2.2 Initially this scheme was to be compulsory for councils.

On 21 November 2016 Minister of State for Housing and Planning, Gavin Barwell made a written statement which confirmed that the government has decided not to pursue this policy in its compulsory form. Local Authorities and housing associations will continue to have discretion to implement the policy for those tenants with household incomes of £60k and over. The change in policy follows consultation with tenants, local authorities and other organisations.

The government intends to continue with the introduction of fixed term tenancies for Local Authorities. Fixed term tenancy reviews may take into account household incomes and thereby act as a gateway to continued social housing ensuring that tenancies are targeted towards those with lower incomes. We are anticipating further guidance on this in due course.

The statement indicates a continued commitment to social housing for those in need, but with the recognition that 'we need to do so in a way that supports those ordinary working class families who can struggle to get by, and in a way which delivers real savings to the taxpayer. The policy as previously envisaged did not meet those aims'. The written ministerial statement is attached at appendix A for reference.

- 2.3 In the compulsory scheme councils would have only been able to keep additional income received to cover 'reasonable' administrative costs, with the bulk going to the Treasury. Although unconfirmed as yet, the implication is that this could be the case with the discretionary scheme.
- 2.4 A considerable amount of back office administration resource would be needed to administer a 'Pay to Stay' scheme:
- Establishing household incomes, initially writing to half of our tenants who do not receive Housing Benefit of Universal Credit.
 - Validate income with HMRC and confirm rent charge in writing to tenants
 - Setting an income based rents policy including an appeals process
 - Establishing a market rent calculation method and calculating it for each property
 - Purchasing and introducing an additional module for our IT housing management system, Academy, to enable the calculation and collection of income based rents
 - Tapering rents according to income and adjusting in line with changes in income (reviewed at intervals to be defined)
 - Dealing with appeals
 - Collecting the additional rent and chasing any arrears
 - Calculate and pay additional income less reasonable administrative costs to central government

3. The Council's Position on the Government Discretionary Proposals for Higher Rents for Higher Income Tenants

- 3.1 Overall the scheme would be costly and time consuming to administer for limited financial benefit. In addition it could be provide a disincentive to work. Therefore TDBC does not need intend to adopt the discretionary Pay to Stay scheme.

Appendices

Appendix A - Ministerial Written Statement

Contact: Jan Errington – Interim Business Support Lead and Project Manager
Mobile: 07775221296
Extension: 2843
[e-mail: j.errington@tauntondeane.gov.uk](mailto:j.errington@tauntondeane.gov.uk)

Social Housing: Written Statement – HCWS274

WS Department for Communities and Local Government

Made on: 21 November 2016

Made by: **Gavin Barwell** (Minister of State for Housing and Planning & Minister for London)Commons: **HCWS274****Social Housing**

Social housing has a crucial role to play in supporting those in most housing need. To that end, powers were provided for in the Housing and Planning Act 2016 to introduce an income based rents policy, requiring local authorities to set higher rents for higher income council tenants.

Since the summer, the Government has been reviewing this policy. We have listened carefully to the views of tenants, local authorities and others and as a result, we have decided not to proceed with a compulsory approach. Local authorities and housing associations will continue to have local discretion.

The Government remains committed to delivering its objective of ensuring social housing is occupied by those who need it most. But we need to do so in a way that supports those ordinary working class families who can struggle to get by, and in a way which delivers real savings to the taxpayer. The policy as previously envisaged did not meet those aims.

This is why we are introducing the mandatory use of fixed term tenancies for new tenants in local authority housing. This will better enable councils to give priority to people with the greatest housing need. Councils will review tenancies at the end of each fixed term to ensure that tenants still need a socially rented home. The Government's guidance to councils will make clear that they should take into account a household's financial circumstances when looking at this, and that, except in exceptional circumstances, tenancies should be targeted on those on lower incomes.

We will also consider whether other options exist to ensure that high income tenants in social housing make a greater contribution to costs.

We are keen to work with local authorities to tackle housing tenancy fraud. In 2013, the National Fraud Authority estimated the cost of such fraud – largely illegal sub-letting and lying about circumstances to obtain tenancies – to be in the region of £850 million a year.

For most existing tenants, social housing represents a home for life at a rent well below market levels. The Government remains committed to ensuring it goes to those who need it most.

We have already announced for this spending period we are putting £8 billion into affordable housing delivery. Building more homes is central to this Government's vision of a country that works for everyone. We will publish a Housing White Paper shortly, setting out measures to help us deliver this ambition.

This statement has also been made in the House of Lords: **HLWS274**

Taunton Deane Borough Council

Tenant Services Management Board – 14th December 2016

Anti-social Behaviour (ASB) Team Activity – Information Report

Report of the Housing Manager - Lettings – Paul Hadley

(This matter is the responsibility of Executive Councillor Terry Beale)

1.0 Executive Summary

This report provides the members of the Tenant Services Management Board (TSMB) with information on the activities of the ASB team.

This report is presented for TSMB Information only.

2.0 Performance

Satisfaction with the service remains high, at end of Q2 93% (target 85%) of tenants who reported ASB in year to date rated the help and advice received as good or excellent. This is a 2% reduction since the last update, but we continue to enjoy very high satisfaction responses from those affected who return surveys after case closure.

The percentage of closed cases that were resolved for Q2 was 94% a 4% reduction on the previous quarter but continues to be well within the target of 85%

3.0 ASB Demand

The data below gives a comparison of demand from 2012/13 to this year in terms of case numbers of the high level type cases:

Case type	2012/13	2015/16
Alcohol	5	12
Drugs	6	10
Harassment	8	22
Hate crime	2	6
Physical violence	1	9
Noise	21	18

In all but one of the above demand has increased, with the total number of high level cases increasing from 57 in 2012/13 to 93 in 2015/16. These high level complex cases often require a multi-agency approach to get an effective and long

lasting resolution. This demand has resulted in officers having to commit more time to manage each case.

The introduction of the One Team approach across three high demand areas of the borough has provided a much greater opportunity to work collaboratively with other agencies but this again has resulted in an increasing demand on ASB officer's time.

Due to the nature of their work ASB officers are more likely to be presented with situations where Safeguarding is a concern. These concerns must be reported and then followed up to ensure vulnerable children and adults are protected.

4.0 Victim/Perpetrator Profile

Many of the victims and also perpetrators of ASB have pre-existing mental health issues, they may/may not be supported by statutory mental health or other services. In many cases experience has shown that these individuals have withdrawn from support or alternatively support services have been withdrawn. Additionally many perpetrators and victims of ASB have a substance dependency, of either alcohol or drugs. These issues make case management more challenging as officers need to adjust their approach to take account of an individual's situation.

Police intelligence has identified a growing trend of provincial towns across the South West being targeted by Organised Crime Gangs (OCG's) from London, Birmingham and Manchester. The gangs target vulnerable tenants in Social Housing and by exerting pressure by means of cohesion and intimidation they use the property to deal and distribute controlled drugs. Yeovil and Weston Super Mare have been targeted by OCG's and a network of dealers are now established working from social housing properties.

The network of OCG's is spreading and we are starting to see TDBC properties being targeted. We have invested officer time to identify and support our vulnerable tenants and work in partnership with the police to ensure we are in a position to take early intervention.

5.0 Summary

The ASB team continues to provide a high level of service for our tenants, this is evidenced by the high level of satisfaction we continue to be able to achieve. We have seen an increase in demand of high level cases, and this has also resulted in an increase in the percentage of victims and perpetrators who are vulnerable, either due to mental health issues or in some cases due to substance dependency. The effect of this is that case management is becoming more challenging for our officers. The arrival of OCG's in the borough has seen some of our properties being targeted, one of our team is working with the police to identify vulnerable tenants and support them.

6.0 Recommendations

It is recommended that the Tenant Services Management Board:

- Note the report.

Contact: Officer Name Paul Hadley – Housing Manager - Lettings
Direct Dial No 01823 356334
[e-mail](mailto:p.hadley@tauntondeane.gov.uk) address p.hadley@tauntondeane.gov.uk

Taunton Deane Borough Council

Tenant Services Management Board – 14 December 2016

Dates of Tenant Services Management Board Meetings 2017

Report of the Tenant Empowerment Manager – Martin Price

(This matter is the responsibility of Executive Councillor Terry Beale)

1. Executive Summary

The purpose of this report is to confirm the previously agreed dates of the Tenant Services Management Board meetings for 2017.

2. Background

The Tenant Services Management Board (TSMB) meets on a monthly basis. Members of the public are welcome to attend (although they may be asked to leave a meeting if confidential issues are being discussed). In order to give board members and members of the public plenty of notice it is prudent to set the dates for 2017 in advance. The dates will also be publicised to tenants and leaseholders.

3. Dates for 2017

The dates for 2017 are:

- Monday 16th January 2017
- Monday 20th February 2017
- Monday 27th March 2017
- Monday 24th April 2017 – usually Annual General Meeting
- Monday 22nd May 2017
- Monday 19th June 2017
- Monday 17th July 2017
- Monday 14th August 2017
- Monday 25th September 2017
- Monday 16th October 2017
- Monday 13th November 2017
- Monday 11th December 2017

4. Finance Comments

Not applicable.

5. Legal Comments

There are no legal implications of this report.

6. Links to Corporate Aims

There are no specific links within this report.

7. Environmental Implications

There are no environmental implications of this report.

8. Community Safety Implications

There are no community safety implications of this report.

9. Risk Management

Not appropriate to this report.

10. Partnership Implications

There are no partnership implications of this report.

11. Recommendations

1. The Tenant Services Management Board is asked to note the dates of meetings for 2017 as detailed in this report.

Contact: Martin Price– Tenant Empowerment Manager
Direct Dial No: 01823 356552
[e-mail: m.price@tauntondeane.gov.uk](mailto:m.price@tauntondeane.gov.uk)

Minutes of the Meeting of the Tenant Services Management Board held on 14 December 2016 at 6.30pm in meeting room at Flook House, The Deane House, Belvedere Road, Taunton.

Present: Mr R Balman (Chairman)
Mr Akhighbemen, Mrs J Bunn, Mr D Galpin, Mrs J Hegarty

Officers: Paul Hadley (Lettings Manager), Stephen Boland (Housing Services Lead), Paul Harding (Corporate Strategy and Performance Manager), Catrin Brown (Health and Safety Manager), Michaela Mullen (Welfare Reform Officer), Martin Price (Tenant Empowerment Manager), and Tracey Meadows (Democratic Services Officer)

Also present: Julian Ranson, Savills. Julia

(The meeting commenced at 6.30pm)

1. Apologies

Apologies were received from Mr K Hellier, Mr Hussey, Councillors Booth and Bowrah

2. Minutes

The Minutes of the meeting of the Tenant Services Management Board held on 14 November 2016 were taken as read and were signed.

3. Public Question Time

No questions received for Public Question Time.

4. Declarations of Interests

Mr Akhighbemen, Mr R Balman, Mrs J Bunn, Mr D Galpin, Mrs J Hegarty, declared personal interests as Taunton Deane Borough Council Housing Tenants.

5. Asbestos Communication Strategy

The Housing Services Lead gave an update on the Taunton Deane Borough Council Asbestos Compliance Review. Stated that there had been a review going on for some time on how the Council had been managing their assets particularly regarding asbestos regulations and how the public would be informed in the future.

In order to categorically determine where asbestos was and more importantly , where it was not, TDBC and WSC were conducting an on-going programme of specialists surveys and inspections of its properties. This had been underway for a number of years already and incorporated all relevant areas of TDBC and WSC buildings constructed before the year 2000, when the use of all asbestos containing materials were banned in the UK. The range of buildings surveyed public and commercial buildings, as well as flats, houses, communal areas, sheds, bin stores and garages.

As TDBC manage a large number of dwellings, this inspection programme would take time to complete and not all properties had been inspected yet.

Rather than wait for all individual surveys to be completed, TDBC had therefore decided to advise all residents at the outset as to the potential presence of asbestos, as well as the potential risk posed. If there was any possibility that asbestos could be present, we would presume that it was (until proven through the survey that it was not) and advise residents/building occupants accordingly.

A leaflet in clear language informing residents about what was Asbestos and what were the risks would be sent out to avoid unnecessary alarm or anxiety. This leaflet would also be included in the sign up pack when tenants signed up for a new property. This leaflet would provide information to anyone who was liable to disturb asbestos should it be present in their property which could be disturbed accidentally.

Conducted in the right way, TDBC regard early and clear communication with the residents in respect of the sensitive subject to be the best policy and that if it was conducted sensitively, need cause no alarm.

An asbestos Working Group had been formed to act as an operational group to help drive the asbestos compliance/improvement agenda on behalf of all stakeholders within Taunton Deane and West Somerset Council. This was principally to practically implement the recommendations arising from the Savills report and recommendations (dated 2015).

During the discussion of this item the following questions were raised:-

- If leaflets go out to tenants and a high volume ring the Council concerned that there is asbestos in their property how will this be handled? *if there are concerns with the tenants we would come out and survey to determine if there is actually asbestos in their property. We have contractors already set up to go out and survey properties. A desk top risk review to see which properties would be at risk of asbestos would be surveyed first;*
- Would individuals that had bought a Council property have a survey also? *This would be picked up by a Chartered Surveyor if asbestos were present in the property. We will also be addressing this matter with the new management plan.*

Resolved that the officer's report be noted.

6. High Income Social Tenants: Pay to Stay

Executive Councillor for Housing Services, Terry Beale stated that in May 2016 the Government intended to introduce an income based rents policy requiring Local Authorities to set higher rents for higher income council tenants with household incomes of over £31k outside of London. Tenants would pay an extra 15p rent for every £1 over the threshold up to the equivalent market rent.

In the Autumn Statement the Minister of State for Housing and Planning, made a statement which confirmed that the government had decided not to pursue this policy in its compulsory form. Stated that Local Authorities and Housing Associations would continue to have discretion to implement the policy for those tenants with household incomes of £60k and over. The change in policy follows consultation with tenants, Local Authorities and other organisations.

Stated that although the government had given us to option to introduce this we had taken the decision not to implement this due to the cost of the administration. It should be noted that introducing 'Pay to Stay' would increase our 'Right to Buy' process. Tenenats would purchase the property and reduce our housing stock even further.

During the discussion of this item the following points were made:-

- This is a good move that the Council has made as implementing this would result in a right mess;
- I personally thought this was a good idea but can see that the administration cost would not make it possible to administer. Could new tenants be evaluated before they were given the option of a Council property, if they were on a higher income bracket why would they need a Council property? *We are going to introduce fixed term tenancies as part of the process. Fixed term tenancies will fix this, social housing is for need and if you do not need this you will not be eligiable for a council property, you will be encouraged towards private/ own ownership releasing council properties for people in need;*

Resolved that the report be noted.

7. Transformation of Taunton Deane Borough Council and West Somerset Council

Update from the Corporate Strategy & Performance Manager regarding the transformation of Taunton Deane Borough Council and West Somerset Council.

Stated that board members were aware of the proposal that were going through consultation. Why a new Council, TDBC had predicted a budget gap of £2.5m and WSC of £1.2m by 2020/21. Having a single Council would deliver at least £0.5m in savings a year. In addition to the £2.6m a year to be delivered through transformation (working differently), which is already underway. The consultation/engagement would starts on 12 December 2016 and run until the 28 February 2017.

The consultation was to inform the Secretary of State's decision on whether to form a new council . He is the decision maker. It was not about Transformation. That was already underway. It was not a merger. Both Councils would be stood down and a new one created. It was not a vote/referendum on whether a new council should be created.

The changes that would be made to the new council are fewer district councillors, now 84-56 TDBC and 28 WSC. The new council would cover a larger area reducing operating costs by £0.5m a year.

Stated that the change would mean that you would still be council tenants (but to a new council. There would still be the option of 'Right to Buy' etc; your landlord would still have the same obligations to you; in WS tenants will still stay with Magna HA.

The consultation delivery would be in the form of of a questionnaire which can be found on www.yournewcouncil.org, reports & video; Roadshows x 6 – questionnaire and summary booklet; Town & Parish meetings x 10; Your Somerset, Gazette, Free Press & Tenants newsletter; Stakeholder group letters (inc equalities representative groups) . Face to face with some stakeholder groups; there will be Road Shows at the following locations;

- Watchet, Phoenix Centre, 12 January, (10-3pm)
- Wellington Library, 17 January, (10-3pm)
- Dulverton Library, 17 January, (10-3pm)
- Taunton Visitor Centre, 19 January (10-3pm)
- Minehead, Beach Hotel, 20 January (10-3pm)
- Wiveliscombe, Community Centre 26 January (10-3pm)

During the discussion of this item the following question were asked:-

- When this is a new Council will we be able to build new Council houses in West Somerset? *In theory yes, subject to the money, if there is a need and the land we can build,*
- Has a survey been taken of this being organised up and down the country and a survey of the Secretary of States decision? *Taunton Deane and West Somerset have been blazing a bit of a trail. We will be the very first Councils that have used a new piece of legislation, 'Cities and Local Government devolution act of 2016' which no one yet has used. Councils have merged together to form unitary councils there was a pathway for achieving that. Two Councils merging together to create a new one using this piece of legislation is a first. There are two other councils going through this process as we speak;*
- Is there a financial incentive for this legislation that you quoted? *There is nothing good or bad coming from the Government, grants are being cut, Councils are being encouraged to work together to work it out. both TDBC and WSC want this merger;*
- Will there be any job losses? *There will be significant job losses, but there are a whole lot of jobs that we need people for, there will be changes and tenants will be made aware of this;*

The Housing Services Lead reported that Magna Housing have just created a new housing strategy. They had bases in West Somerset and Dorchester. We attended a conference in Williton a couple of months ago and they had a new plan to develop 300 new social housing units and 300 shared ownership and they had also signed up to a one for one on replacement units, so if any of their tenants exercise their Right to Buy, they will replace that one for one. This is good news as for the last few years there has not being any development in WS. Magna Housing had significant presence in WS and in Dorchester which means in terms of housing options we had the opportunity for more housing on the ground locally.

Resolved that the report be noted

8. **Universal Credit. Report of The Welfare Reform Project**

Report from the Paul Hadley, Lettings Manager and Michaela Mullen, Welfare Reform Officer

Stated that from the 26 October we went live with the full service of Universal Credit. Before that time we had what they called live service which was where only single newly unemployed people could claim. From the 26 October, anybody of working age can claim Universal Credit, so it has opened it up much wider to a lot more of our tenants. Since going live we have had 93 of our tenants make a claim, this is quite a high number but it could be that they are just claiming for tax credits and not necessarily for housing benefit. These have been split down to our three area teams;

- Halcon - 39 claims, 29 claims are currently in arrears with their rent and the arrears for that area is £20,025.58 just with those 39 claims. This does not mean that all of these arrears are for Universal Credit, those people would have been in arrears before hand;
- North Taunton – 31 claims, 25 of which are in arrears and those total £12,264.65;
- Wellington - 23 claims, 13 of which are in arrears and those total £8,534.34;

This gives a total of £41,624.47. as you can see by the numbers a lot of these tenants were in arrears and we will have lots of work to do as these tenants will be waiting for 5/6 weeks for a payment.

The full service that were now on was completely different than the live service that we used to be on, there were no simalariaites at all. This is a new system that we are having to train and learn on. We were working closely with the DWP and were in a test and learn stage.

There were no bedroom tax figures to report this month due to not receiving this information anymore from Housing Benefit, this will be the same for Benefit Cap as under Universal Credit this information will not be divulged.

Universal Credit would work really well for some people and for some it would not. Ourselves, Citizens Advice and Partner Agencies would all have a role to play. The DWP also want to encourage tenants to make their claims on line so they will need to make sure that they are computer literate to be able to manage their claim online. It was regonised that work would be needed to help vunerable people which is being worked on at present. There was work to do with the homeless as B&B costs do not work on the Universal Credit system. A meeting has been held and we will update you at a future meeting to let you know the outcome.

A lot of work has been done promoting this with a Money Matters magazine going out next week so everyone will have a copy of this with the new information in.

The Housing Services Lead stated that all staff involved in the Universal Credit system had had training and it was going well. We are in support of giving tenants the correct advice and claiming what they are entitled to.

Stated that this was a real culture shift as our tenants were not used to paying their own rent.

During the discussion of this item the following question were asked:-

- As this has just started we will need to give it 12 months to see how this new Universal Credit system is working;
- Concerns with tenants that are disadvantaged; *Estate Officers were happy to help with the most vunerable. There will also be village agents to give help and advice for tenants that live in rural areas;*

Resolved that the report be noted.

9. Anti Social Behaviour Team Activity

Update from the Lettings Manager, stated that our;

Performance - still remained good with satisfaction at 93% of tenants who reported ASB in year to date rated the help and advice received a good or excellent. This was a 2% reduction since the last update. Performance remains good and we have never fallen below target.

ASB demand - in all but one the demand had increased with the total number of high level cases increasing from 57 in 2012/13 to 93 in 2015/16. The only one which has reduced was noise which as it was a big issue for lots of tenants this could not be explained. I believe this is the impact of the One Team working with more reports coming in than before.

Victim/Perpetrator Profile – many of the victims and also perpetrators of ASB have pre-existing mental health issues, they may/maynot be supported by statutory mental health or other services. In many cases it has been shown that these individuals have withdrawn from support or alternatively support services had been withdrawn.

We were now seeing organised crime gangs starting to infiltrate the South West and we have started to see where some of our properties were being taken over by these gangs. It will quite often be a vulnerable person, single female who may have a dependency and to service that dependency they come into contact with someone on a friendly basis and that dependency changes where they lose control of their own home. The home then is being basically run as a shop for substances. This issue first started to show itself in Halcon. A series of warrants were issued. Currently a closed order to reclaim the property was in progress. This was not just happening in Halcon, there had also been reports in the Priorswood area. We now needed to work closely with our Police colleagues to have an impact on this.

In summary the team continues to provide a high level of service for our tenants, this was evidenced by the high level of satisfaction we continued to be able to achieve. We had seen an increase in demand of high level cases, and this had also resulted in an increase in the percentage of victims and perpetrators who are vulnerable, either due to mental health issues or in some cases due to substance dependency. The effect of this was that the case management was becoming more challenging for our officers.

The Housing Services Lead asked the Lettings Manager to go back and thank the team for the work and support that they do on the Halcon estate for the tenants.

During the discussion of this item the following comments were made:-

- The board thanked the team for all its hard work and said it fully supported it 100%;

Resolved that the report be noted.

10. **Dates of Tenant Services Management Board Meetings 2017**

Dates for the Tenant Services Management Board noted.

(The meeting ended at 8.15pm)